

ASSEMBLY BILL

No. 1035

Introduced by Assembly Member DeVore
(Coauthors: Assembly Members Adams, Fuller, Garrick, Jeffries,
Miller, Nestande, Niello, Nielsen, Silva, and Smyth)

February 27, 2009

An act to amend Section 25501 of the Public Resources Code, relating to energy.

LEGISLATIVE COUNSEL'S DIGEST

AB 1035, as introduced, DeVore. Energy: nuclear powerplant: certification.

Existing law requires a person proposing to construct a thermal powerplant to obtain a certification from the State Energy Resources Conservation and Development Commission. Existing law exempts facilities for which the Public Utilities Commission has issued a certificate of convenience and necessity or that a municipal utility has approved before January 7, 1975.

This bill would additionally exempt an applicant for a nuclear fission thermal powerplant capable of producing up to 2,000 megawatts of energy that is the first California entity to obtain an early site permit from the United States Nuclear Regulatory Commission.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 25501 of the Public Resources Code is
2 amended to read:

1 25501. (a) This chapter does not apply to ~~any~~ a site or related
2 facility for which the Public Utilities Commission has issued a
3 certificate of public convenience and necessity or ~~which any~~ that
4 a municipal utility has approved before January 7, 1975.
5 (b) *This chapter does not apply to an applicant for a nuclear*
6 *fission thermal powerplant capable of producing up to 2,000*
7 *megawatts of energy that is the first California entity to obtain an*
8 *early site permit from the United States Nuclear Regulatory*
9 *Commission pursuant to Part 52 (commencing with Section 52.0)*
10 *of Title 10 of the Code of Federal Regulations.*